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13 ***Depot U.S.A., Inc.***

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 ROXANNA VALLE, an individual,

Plaintiff,

Case No: 2:17-cv-01968-JAD-VCF

12 vs.

13 HOME DEPOT U.S.A., INC., a foreign
14 corporation; DOE EMPLOYEE; DOES I
15 through XXX, inclusive, and ROE BUSINESS
16 ENTITIES I through XXX, inclusive,

Defendants.

STIPULATION FOR EXTENSION OF TIME
TO COMPLETE DISCOVERY

(FIRST REQUEST)

17 COME NOW the parties, by and through their respective counsel, and move the
18 Honorable Magistrate Judge for an Order continuing Discovery and submit the instant Stipulation
19 in accordance with LR 6-1 and LR 26-4. The parties have conferred and agree that an extension
20 of discovery is both necessary and warranted.

21 No previous requests or extensions for time in which to complete discovery in this matter
22 have been requested. However, for reasons outlined in the original Discovery Plan, the parties
23 requested special scheduling review regarding the deadlines contained within the Stipulated
24 Discovery Plan and Scheduling Order (Document #9) as the dates originally requested were
25 longer than those specified in Local Rule 26-1(e). The court granted the requested initial
26 deadlines for discovery.

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1 An extension of time for discovery is necessary and good cause exists for the extension
2 pursuant to Local Rule 26-4. Pursuant to that Rule, the parties submit the following:

3 **(a) DISCOVERY THAT HAS BEEN COMPLETED**

4 Counsel for the respective parties participated in a discovery planning conference
5 pursuant to Fed.R.Civ.P. 26(f). Lists of witnesses and document productions were thereafter
6 exchanged by and between the parties. A Proposed Discovery Plan was filed on October 6,
7 2017.

8 On November 14, 2017, Defendant served its initial Disclosure of Witnesses and
9 Documents.

10 On or about November 14, 2017, Defendant served written discovery on Plaintiff,
11 consisting of interrogatories, requests for production of documents, and requests for admissions.

12 On December 12, 2017, Plaintiff served her initial Disclosure of Witnesses and
13 Documents.

14 On or about December 12, 2017, Plaintiff served written discovery on Defendant,
15 consisting of interrogatories, requests for production of documents, and requests for admissions.
16 Responses to the discovery are pending based on an extension of time agreed-to by the parties.

17 On December 13, 2017, Plaintiff served responses to requests for admissions.
18 Responses to the remaining discovery are pending based on an extension of time agreed-to by
19 the parties.

20 **(b) DISCOVERY THAT REMAINS TO BE COMPLETED**

21 The parties are currently conducting additional factual and expert discovery, including
22 depositions of Plaintiff Valle and of the parties affiliated with Defendant Home Depot involved in
23 the investigation of Plaintiff's claim.

24 Expert witnesses will need to be retained and designated to address both liability and
25 medical causation, but the parties have mutually expressed a desire to conduct additional
26 discovery related to the facts of the incident and as to Plaintiff's damages claims prior to
27 incurring the costs involved in retention of the same. The parties have also engaged in initial
28 efforts at settling the claims based on the information currently known, which discussions are

currently ongoing. As such, an extension of time is necessary and warranted that the parties may complete the necessary discovery in this matter and meet expert deadlines.

(c) REASONS DISCOVERY WILL NOT BE COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN

The parties are both exploring settlement discussions and are conducting additional factual discovery regarding the facts of the incident, investigation of the incident, and injuries related to the incident. Counsel for the parties remained in contact throughout the end-of-the-year 2017 and the holidays in an effort to be prepared to have meaningful discussions regarding settlement and to conduct additional fact-based discovery prior to retaining experts. Those settlement discussions are in the preliminary stages, but, if successful, will result in a resolution of all claims. If not successful, the parties will require the additional time to complete discovery and to retain experts on issues of liability, causation, and damages.

(d) PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY:

The parties hereby stipulate and request that discovery dates in this matter be continued for sixty (60) days as follows:

Discovery Cut-Off Date:	June 15, 2018	(current date: 4/16/2018)
Expert Disclosures:	April 16, 2018	(current date: 2/15/2018)
Rebuttal Experts:	May 16, 2018	(current date: 3/19/2018)
Deadlines to file Dispositive Motions:	June 15, 2014 ²⁰¹⁸	(current date: 5/16/2018)
Pretrial Order Due Date in the absence of no dispositive motions*	July 16, 2018	(current date: 6/15/2018)
Interim Status Report (LR 26-3):	April 16, 2018	(current date: 2/15/2018)

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*If dispositive motions are filed, the Pretrial Order is due 30 Days from the decision on the dispositive motions:

DATED: Jan. 24, 2018

DATED: Jan. 24, 2018

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ORDER

IT IS SO ORDERED.

DATED: 1-24-2018



U.S. MAGISTRATE JUDGE